

FINAL

Advisory Committee on Juvenile Justice

Meeting Minutes

January 20, 2004

Approved May 12, 2004

The official business meeting of the Advisory Committee began at 2pm on Tuesday, January 20, 2004, at the Department of Criminal Justice Services, 805. E. Broad Street, Richmond, Virginia.

Members Present

Pamela Fitzgerald Cooper, Proxy for Dr. Reinhard
Dr. Lissa Power deFur, Proxy for Dr. DeMary
Lynette Greenfield, Proxy for Jerrauld Jones
Dr. Jay W. Malcan
Robert E. Shepherd, Jr.
Patrick Henry Sweet, III
Wayne Thomas, Chair
Ruby G. Turner
Justin Wilson
Gina E. Wood

Members Not Present

Henry N. Azais
Guy E. Cousins
Russell B. Foot
Matthew T. Gowin
The Honorable Mary K. Hill
The Honorable Janet D. Howell
Susan C. Laughrun
Charles S. Martin
The Honorable Robert J. McCabe
The Honorable Robert F. McDonnell
Cathleen Newbanks, Proxy for Maurice A. Jones
Daniel L. Plaugher
The Honorable Sharon Breeden Will

Staff Present

Laurel Marks
Dr. Aura Hanna
Ursula Murdaugh
Will Bronson
Joe Marshall
Laureen Hyman

I. Welcome and Call to Order

The meeting was called to order by the Vice-Chair, Wayne Thomas. All present introduced themselves to the group.

II. Review and Approval of Minutes

Mr. Wayne Thomas asked if there were any comments, additions or deletions to be made to the minutes from the October 15-16, 2003, meeting of the ACJJ. A motion was made

by Bob Shepherd and seconded that the minutes be approved. The motion passed unanimously.

III. **DCJS Staffing Update**

Ms. Laurel Marks explained to the committee that Nancy Bacot, the DCJS Title II Grant Monitor, left the agency. Permission has been granted to advertise the vacancy and it is hoped it will be filled soon.

IV. **Legislative Session**

Mr. Bob Shepherd gave an overview of the General Assembly process and noted that this session is a longer session.

Mr. Joe Marshall explained that the administration wants to have some input on all incoming legislation to assist the Governor in determining whether it should be signed. At the cabinet level, people representing the Secretariats, the Governor's Office, the Budget Office, and other agencies within the Secretariat meet daily to determine which secretariat should be responsible, and then the secretariat determines which agency should complete a Legislative Action Summary (LAS). The agency preparing the LAS recommends a position on the bill and includes input from affected constituencies. If amendments to the Bill are suggested, DCJS provides justification to the Secretary of Public Safety (SPS). If the Governor takes a position on a bill, the SPS and agency will be notified of the Governor's position and that will be the agency's position as well.

Mr. Shepherd reported on the Government Relations Subcommittee meeting which took place before the committee meeting. A handout was distributed during the meeting including bill information that the ACJJ is interested in as of this date.

Those legislative proposals discussed at the last meeting (October 15-16, 2003), are now bills:

Bill #	Subject	ACJJ Position
HB600	Detention; appointment of attorney (Proposed by DJJ)	Support
HB937 (SB 577)	Custody and confinement for juvenile offenses (Proposed by DJJ)	Support
HB1146	Appeals of juvenile court decisions	Support
HB1274	Temporary custody of juveniles (Proposed by DCJS)	Support
HB1062	Intake of Juveniles	Not Support, but don't affirmatively oppose
SB26	Use of summons in juvenile court (rather than a petition); littering	Support
SB98*	Develop parenting programs on a voluntary basis to inmates of DOC who have children	Support w/friendly suggestion that if possible, it be applied to DJJ as well.

***There was some discussion regarding SB98.** The committee liked the idea of developing parenting programs on a voluntary basis to inmates of DOC who have

children and asked if it would make sense to make this available in DJJ correctional facilities to juveniles who are parents.

Mr. Shepherd motioned that the ACJJ supports this bill with the suggestion that it be explored to extend it to include DJJ facilities. The motion was seconded by Ms. Gina Wood and unanimously approved.

Bill #	Subject	ACJJ Position
HB792	Parenting programs; DCE	Support (See SB98)
SJ88	Offenders with mental illness and substance abuse disorders	Support
HB333	Juveniles not in custody; detention	Support
HB 492	Compensation of court-appointed counsel	Support
HB1013	At risk Student Academic Achievement Program	Support
SB339	Dispositions for Delinquent juveniles (<i>This does have a fiscal impact</i>)	Oppose
HB1096	Juvenile fingerprints and photographs - currently for 14 and older, this bill would make all ages mandatory.	Oppose
HB125	Juvenile intake; notification to school superintendent	No Position
HB1151	juvenile alcohol offenses	Support
HB668	juvenile alcohol offenses	Oppose

It was noted that HB668 and HB1151 are similar and both deal with juvenile alcohol offenses. This is targeted at juveniles who have been drinking or have consumed alcohol but did not have it in their possession. However, the bills differ in that HB668 **does not** allow the juvenile record to be expunged. The committee was concerned about the expungement.

A motion was made by Mr. Shepherd to support HB 1151 and oppose HB668. The motion was seconded by Ms. Wood and unanimously approved.

HB787	Confidentiality of court records; juveniles	No Position
HB1209	Criteria for detention or shelter care	Support

HB1231 was brought to the attention of the committee by Ms. Marks as it will affect ACJJ if passed. This bill will require the majority of members present at a meeting to make up a quorum.

A motion was made by Mr. Shepherd on behalf of the subcommittee to adopt the recommendations of the subcommittee regarding these bills. The motion was passed unanimously.

There was some discussion regarding how the Government Relations Subcommittee can confer with the full committee to let them know when there are other bills that the

ACJJ may wish to take a position on. It can be done via conference call but not by e-mail, as votes cannot be cast by e-mail.

V. Role of Advisory Committee (Further Clarification)

Ms. Marks further explained the role of the Advisory Committee. In particular, the ACJJ members can support issues that are approved by the committee as a whole, but support or remarks made by individuals that are not shared by the Committee should be clearly identified as individual opinions.

VI. Compliance Report

Mr. Will Bronson presented a compliance report for the committee and informed the group that Virginia has completed the report and is now in compliance with all of the core requirements of the JJDP Act, except for the "Sight and Sound" separation requirement. DCJS will be submitting a plan due in April on how Virginia will become compliant.

VIII. JABG Application Update

Ms. Ursula Murdaugh explained the JABG Application and that it would be mailed out soon.

IX. Formula Grants Application Update; State Title II Application Update

Dr. Aura Hanna reported that the Update to the Three-Year Plan is being prepared for submission to the federal Office of Juvenile Justice and Delinquency Prevention. The Update provides additional data along with current information about activities undertaken to address the priority areas. Copies of the Update will be available for the Committee at the May meeting for inclusion in their Three-Year Plan binders.

Ms. Marks announced that DCJS is changing the Title II grant period to Oct-Sept to be in a better position to give funding when needed. There will be a Pre-application training on February 11th. (This date was later changed to March 3, 2004).

X. Title V Update

Ms. Marks noted that an extension was received for our old money so Title V funding is available through September of 2004. Hopefully an extension will be received for our other funding to cover through December 2004.

XI. Report on Federal Advisory Committee

Mr. Shepherd updated the ACJJ on the recent National Juvenile Justice Advisory Committee meeting which he attended as Virginia's representative.

Mr. Shepherd reported that the Coalition for Juvenile Justice (coalition of state advisory groups) appears to be in the process of being replaced or having their duties duplicated by the establishment of a new juvenile justice advisory committee. It is being administered by OJJDP's Administrator, Mr. Flores, with a charter dated October 15, 2003. Each state's Governor has been called upon to nominate people for appointment to this committee. Mr. Shepherd is now the Virginia representative on the National Juvenile Justice Advisory Committee. The Governor's appointees were often consistent with the Coalition membership: four former national chairs are among the state representatives. The Executive Director is David Schmidt of the New Mexico Council on Crime and Delinquency and the Vice-Chair is Hasan Davis from Kentucky. Mr. Shepherd also pointed out that the National Juvenile Justice Advisory Committee has recommended that the formula previously used for Title V funding, continue to be used.

The Federal Advisory Committee reports to Congress, the President and Administrator of OJJDP on juvenile policy. Mr. Tom White is our designated federal official. Appointees were given copies of the charter and bylaws and Committee chairs were appointed. Two annual reports need to be created and Mr. Shepherd has been appointed as the Chair on the Annual Report Advisory Committee. It appears that most states will renew their membership to the Coalition despite the substantial increase in the membership fee.

XII. Annual Juvenile Justice and Delinquency Prevention Training Conference

Dr. Hanna will be the Juvenile Services lead for this year's JJDP training conference. She reported that the conference attracted about 375 attendees last year, the most ever. In the past, Advisory Committee members have participated in the conference by introducing speakers. Their involvement would be welcome again this year. Dr. Hanna asked that if Advisory Committee members had any suggestions for speakers or topics, they forward them to her and she will ensure that they are included for consideration by the Conference Planning Committee.

XIII. Advisory Committee Member Activity Reports

Committee members were asked to report on any topics that might be of interest to the ACJJ.

XIV. Distribution of 2002 Juvenile Justice and Delinquency Prevention Advisory Committee Annual Report

Draft copies of the report were distributed to members by Dr. Aura Hanna. The final copy is being printed and will be mailed to members when it is received.

A motion was made by Mr. Shepherd to adjourn and was seconded and approved unanimously.